

include recommended authorization modifications to the Outlet regarding what, if any, navigation should continue, measures to provide hurricane and storm protection, prevent saltwater intrusion, and re-establish the storm buffering properties and ecological integrity of the wetland damaged by construction and operation of the Outlet, and complement restoration of coastal Louisiana: *Provided further*, That the Secretary shall develop the plan in consultation with the Parish of St. Bernard, Louisiana, the State of Louisiana, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the Environmental Protection Agency, and the National Academy of Sciences: *Provided further*, That the Secretary shall seek input, review, and comment from the public and the scientific community on the plan: *Provided further*, That the Secretary shall ensure that an independent panel of experts established by the National Academy of Sciences reviews and provides written comments on the proposed plan: *Provided further*, That, not later than 1 year after the date of enactment of this Act, the Secretary shall submit an interim report to Congress comprising the plan, the written comments of the independent panel of experts, and the written explanation of the Secretary for any recommendation of the independent panel of experts not adopted in the plan: *Provided further*, That the Secretary shall refine the plan, if necessary, to be fully consistent, integrated, and included in the final technical report to be issued in December 2007 pursuant to the matter under the heading "INVESTIGATIONS" under the heading "CORPS OF ENGINEERS—CIVIL" of title I of the Energy and Water Development Appropriations Act, 2006 (Public Law 109-103, 119 Stat. 2247; Public Law 109-148, 119 Stat. 2814): *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 05 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: *Provided further*, That, of the amount made available under this heading, \$3,750,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement, is transmitted by the President to Congress.

Ms. LANDRIEU. Mr. President, this amendment that I offer tries to move forward a very difficult situation that we are faced with in Louisiana about how to protect not just the New Orleans city proper but the greater metropolitan area and parts of south Louisiana from flooding in the future.

As you know, Mr. President, because you have been gracious enough to be one of the Senators to go walk through the neighborhoods and see the flooding, being a firsthand witness, it wasn't just the hurricanes, Katrina and Rita, but it was the breaking of levee systems. Some of those levees were long industrial canals that served this great port which, together with the South Louisiana Port, is the largest port system in America. Some of these levees were along the lake. Some of them were along what we call the London Avenue Canal.

There was a project that was designed and structured by the Corps of Engineers back in the 1930s and 1940s called the Mississippi River gulf outlet. I think you actually stood on that levee, Mr. President, and looked to see

where that breach occurred. This avenue was thought—at the time we built it and designed it, like so many large civil works projects we have done in this Nation—to be a positive effort to help expand the opportunities for the port for trade and commerce. For a while, it did serve that purpose. But what has happened is that over a decade, it has caused such erosion in the great expanse of marshland that it was placed in—or the marsh was dredged through and created, that it really is causing, according to everyone who has looked at how the flooding occurred in our area, it is causing serious—not only environmental—damage but is now a real threat to life and property.

So there has been an effort underway between port officials, parish officials in St. Bernard, and the business community to try to come up with a way to close the Mississippi River gulf outlet but to do it in a way that protects the parish of St. Bernard primarily and the lower ninth ward, as well as trying to give some period of time for the few businesses that are along the gulf outlet to make arrangements to move.

My amendment would simply provide a de minimis \$3.5 million for the Corps of Engineers to develop a closure plan because the consensus at home is that the Mississippi River gulf outlet, which is demonstrated here on the map, which served at one time as a very important shipping channel—it is significant that shipping has greatly diminished as its threat to the environment has substantially increased. Because we have not had the Federal or State resources to actually protect these marshlands the way we should, this channel has become quite wide, much wider than any of us had anticipated—even the Corps. And the possibilities of flooding have been increased because the channel has been expanded and these marshes have been eroding from many different factors, not just this.

So this very modest \$3.5 million would allow a study—a plan, not really a study, because the studies are completed—and this will become part of our overall protection system for this region. Again, the point is that we are not just building levees to protect southern Louisiana and southern Mississippi and other places. It is a combination of some levees, some coastal restoration, and some smart navigation channel work, or rework, that is integrated—much more of a sophisticated, coordinated approach than in the past.

I offer this amendment by way of explanation to show that the studies have been done. There has been a lot of evaluation of past storms. This will allow the Corps to come up with a plan to close MRGO, provide for shipping and good environmental restoration, and, most importantly, protect St. Bernard Parish and the lower part of ward 9 in Orleans Parish and New Orleans east from flooding in the future.

So that is the amendment.

AMENDMENT NO. 3752

Ms. LANDRIEU. Mr. President, I call up amendment No. 3752.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Louisiana [Ms. LANDRIEU] proposes an amendment numbered 3752.

Ms. LANDRIEU. I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To direct the Secretary of Commerce to provide a grant to the Port of New Orleans to mitigate increased costs resulting from the loss of deep draft navigation access to certain facilities at the Port in the aftermath of Hurricane Katrina)

On page 178, after line 21, add the following:

#### ECONOMIC DEVELOPMENT ADMINISTRATION

For an additional amount for the mitigation of increased costs resulting from the loss of deep draft navigation access to certain facilities at the Port of New Orleans in the aftermath of Hurricane Katrina, \$8,500,000, to remain available until September 30, 2007, to be provided by the Secretary of Commerce, acting through the Assistant Secretary for Economic Development, to the Port of New Orleans in the form of a grant: *Provided*, That the Secretary shall administer the grant under this section in accordance with section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149): *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Ms. LANDRIEU. Mr. President, this amendment is a 1-year grant of \$8.5 million to the Port of New Orleans to mitigate the increased costs resulting from the loss of deep-draft navigation access to certain facilities and ports. This is part B of this amendment. We worked to create a plan to close this from large deep-draft vessels. They still have access, obviously, through the inner harbor canal lock through the GIWW. We still have to find a way to help offset some of the costs to some of these companies that are located here as a transitional plan, so that we can make these arrangements that the Corps is recommending for safety of the port facilities and the people around it. That is basically what amendment No. 3752 will accomplish.

As I have said before, this was created back many decades ago when we didn't realize the environmental impact. It has caused not just problems from Katrina and Rita, but it prompted a great deal of flooding back in 1965 with Hurricane Betsy, one of the worst in this region, well before Katrina and Rita. So we have known for a long time that this had to be done.

With these two amendments, I believe the port can have some money for the transition, the Corps can get the plans done to ready the closure, and we will be well on our way to protecting a